

DOCKET NO.: 268118US0PCT

**MAIL STOP PCT**

*JCO6 Rec'd PCT/PTO 29 SEP 2005*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Andreas HABICH et al.

SERIAL NUMBER: 10/528,697

FILED: March 22, 2005

FOR: CHOLINE ASCORBATE FORMULATIONS

**RESPONSE TO NOTICE OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

COMMISSIONER FOR PATENTS

Box PCT

Alexandria, VA 22313

SIR:

Responsive to the notification dated September 21, 2005, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our payment in the amount of \$-0.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 29 SEP 2005

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/528,697	FIRST NAMED APPLICANT Andreas Habich	ATTY. DOCKET NO. 268118US0PCT
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INTERNATIONAL APPLICATION NO.
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PCT/EP03/10535

I.A. FILING DATE 09/22/2003	PRIORITY DATE 09/24/02
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 22850  
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CONFIRMATION NO. 4608

371 FORMALITIES LETTER



\*OC000000017042363\*

ET

Date Mailed: 09/21/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/22/2005
- Copy of the International Search Report filed on 03/22/2005
- Copy of IPE Report filed on 03/22/2005
- Copy of Annexes to the IPER filed on 03/22/2005
- Information Disclosure Statements filed on 06/06/2005
- Request for Immediate Examination filed on 03/22/2005
- U.S. Basic National Fees filed on 03/22/2005
- Priority Documents filed on 03/22/2005

 RECEIVED: 9/22/05  
 OBLON, SPIVAK, McCLELLAND  
 MAIER & NEUSTADT, P.C.  
 DOCKETING DEPT  
 Initials/Date Docketed: 09/22/05  
 Type of Resp(s): DECI  
 Due Date(s): 11/21/05

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,697	PCT/EP03/10535	268118US0PCT

FORM PCT/DO/EO/905 (371 Formalities Notice)